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SIND ORDINANCE NO.XI OF 1984

THE SIND REQUISITIONING OF IMMOVABLE PROPERTY (TEMPORARY POWERS) (AMENDMENT) ORDINANCE, 1984

[10th September, 1984]

An Ordinance to amend the Sind Requisitioning of Immovable Property (Temporary Powers) Act, 1956.

Preamble.

WHEREAS the Federal Shariat Court has directed to make certain amendments in the Sind Requisitioning of Immovable Property (Temporary Powers) Act, 1956;

AND WHEREAS it is expedient to amend the Sind Requisitioning of Immovable Property (Temporary Powers) Act, 1956, in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July 1977, and the Provisional Constitution Order, 1981, the Governor of Sind is pleased to make and promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Sind Requisitioning of Immovable Property (Temporary Powers) (Amendment) Ordinance, 1984.

(2) It shall come into force at once.

Amendment of Section 6 of West Pakistan Act VII of 1956.

2. In the Sind Requisitioning of Immovable Property (Temporary Powers) Act, 1956, hereinafter referred to as the said Act, in section 6—

(i) in sub-section (2), for the words "or exceed in amount six percentum per annum" the words "in amount per annum" shall be substituted;

(ii) after sub-section (2), the following new sub-section shall be inserted: -

"(2-A) The compensation determined under this section shall not be less than the rent of similar buildings situated in the similar circumstances, in the same or adjoining locality.".

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Insertion of Section 6-A in West Pakistan Act VII of 1956.

3. In the said Act after section 6, the following new section shall be inserted: -

"6-A (1) The Provincial Government may, on application by the owner increase the compensation payable under section 6 after taking into consideration the imposition of new taxes, if any, after fixation of the compensation and annual value of the building, if any, on which property tax is levied:

Enhancement of compensation.

Provided that no increase in the compensation shall be effected, unless a period of three years has elapsed from the date of fixation of the compensation.

(2) The increase in compensation shall not, in any case exceed ten percent per annum.".